

**CITY OF MARLBOROUGH
CONSERVATION COMMISSION**

MINUTES

March 6, 2008

Memorial Hall, 3rd Floor, City Hall

Members Present: Edward Clancy-Chairman, David Williams, Allan White, John Skarin, Michele Higgins and Priscilla Ryder-Conservation Officer;

Absent: Dennis Demers and Lawrence Roy

Public Hearings

Notice of Intent (Continuation of Public Hearing)

39 Briarwood Lane - Home Properties, Inc.

Steve Casazza and Tom Callo of Fay Spofford and Thorndike, and Mike Dyke of Home properties were present. Mr. Casazza explained that he had met with Tom Cullen, City Engineer and had come to some agreements on the changes shown on the final plan he presented tonight, dated 3-5-08 as follows:

1. The existing pipe lying above the ground is to be removed
2. The type of pipe at the flared end to be used will be a reinforced concrete pipe
3. The channel location and access location is shown on the plans and staked in the field

In addition, as discussed at the last meeting, they did look at the wall separation issue and determined this will be dealt with at a future date. Clearly it is an issue that carries lots of liability for the owner, so they will keep an eye on this and will return to the Commission in the future. They also evaluated the catch basin that doesn't seem to be functioning, but with the snow cover, they were not able to determine why it isn't functioning. This matter will also be dealt with in the near future.

Also, a letter from SLT, dated March 6, 2008 to Mr. Casazza regarding sequencing and how the sewer easement and drain pipe are to be accessed was read into the file by Chairman Clancy. This included placing mats over the wet soil to gain access to the pipes and minimize impacts to wetlands. There was some discussion about the pipe inverts, and pipe sizes, the need for dewatering during construction and a need to schedule the work when the weather forecast is clear.

Ms. Ryder noted that there seems to be a failure of the pavement a bit above the limit of work. The Commission suggested that some additional paving in either direction along this work area would be acceptable as needed.

After some additional discussion, the Commission closed the hearing and the Commission asked that Ms. Ryder draft a set of conditions for review at the next meeting on March 20th.

Notice of Intent (Continuation of Public Hearing)

Hayes Memorial Dr. – First Student, Inc.

Sean Reardon of Tetrattech Rizzo was present. Mr. Reardon explained that the previous hearings were continued until there was resolution with the State's Natural Heritage and Endangered Species program (NHESP) review, which has finally been resolved. Based on the discussions with NHESP, they have reduced the scope of the project considerably and thus changed the plans. The applicant presented the changes to the plans, but these were not final changes. A more final detailed plan will be submitted for formal review at the next meeting.

The applicant explained the changes on the plans which will reduce the amount of work within the NHESP polygon as required:

- The parking lot footprint is reduced by .65 acres.
- Haybale boundary is the limit of work and is now outside the 20' buffer zone
- The detention basin has been relocated and a substantially sized underground infiltration Cul-tech system is now proposed to provide additional infiltration and reduces disturbance near the buffer zone
- A concrete pad was added around the fueling facility to better manage spills
- An oil gas separator pretreatment systems before the water enters the infiltration systems will be provided at the next meeting.
- The back of the parking lot will have a cape cod berm. The Commission questioned whether this would be adequate

After some discussion, it was determined that the new plan would be submitted at the next meeting and must include:

- a construction sequencing plan
- operation and maintenance plan for the storm water system
- guardrails
- the type of planting details for the slopes
- and shall note that no blasting is permitted on site as it lies above the MWRA water aqueduct.

With the applicants consent the hearing was continued to the March 20th meeting.

Notice of Intent (Continuation of Public Hearing)

246 Maple St. – Blue Fin Properties, Inc.

At the applicants request per an e-mail from Mr. Pezzoni, this hearing was continued to the March 20th meeting.

Notice of Intent (Continuation of Public Hearing)

247 Maple St. - Dennis Kennedy

Peter Bemis of Engineering Design Consultants Inc. and Michael Kennedy, owner was present. Mr. Bemis explained the changes he had made to the plans based on the Commission's comments at the previous meeting and from his discussions with Steve Reid, the building inspector. He provided a new set of plans dated last revised 2-27-08 which showed:

- changes to the Comcast building
- reconfiguration of the parking to provide a bigger buffer area around the brook
- more overall green space to accommodate the 1,590 sq. ft. of open space lost behind the market
- Mr. Bemis provided some pictures to better illustrate what he is attempting to correct from existing conditions
- On the commercial Automotive side he explained that he is waiting for comments from the City Engineer regarding the detention facility and if it must detain water, given the location of the project at the end of the water shed. This should be resolved by the next meeting.

After further discussion, the Commission agreed with the applicants consent to continue the hearing to the March 20th meeting to allow time for the applicant to provide a construction sequencing plan, planting plan, the detention basin issues to be resolved, a detail on a trash rack before the culvert to prevent blockage in future storms. The Commission also noted, that from an administrative point of view, the applicant should request Certificates of Compliance for the old Orders of Conditions which are tied to these two properties, to clear the title and help close out these old files. Mr. Bemis said he would work on these requests.

Certificate of Compliance

DEP 212-181 Old Boston Post Rd.

Ms. Ryder explained that the owner's title search found this Order of Conditions attached to the title for 66 Farrington Lane. DEP 212-181 Old Boston Post Rd. is no where near this property. The lawyers have asked for a Certificate of Compliance noting that it was erroneously recorded. The Commission voted 5-0 to issue a Certificate of Compliance as noted.

Discussion/ Other business

- DEP 212- 997 Toll Brothers Crowley Dr. – wetland violation
Ms. Ryder noted that during the rain event earlier in the week, muddy water was leaving the site in three locations and a fine was issued for this violation. Toll Brothers will be reporting back to the Conservation Officer on progress made before the next rain event on Friday.

Meetings - Next Conservation Commission meetings March 20th and April 3rd, 2008
(Thursdays)

Adjournment - There being no further business the meeting was adjourned at 9:05 PM.

Respectfully submitted,

Priscilla Ryder
Conservation Officer